Previous references

M(74-12(4-5) 1913-14: (municipal
" 74-12(1)

Later references.

Mel 69-14 Bis 17,41,93+112
, May 1915-

File No. 69-13
Serial Nos. 9&20

Pressing

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 9&20

Part B. for September 1913

SUBJECT

Bye laws under Mysore municipal Regulation for the keeping of asses

(1) From the Dy. Comr Mysore, no 1420721-8-13 Submits no 3970719-8-13 from Presdt. Mysore city mcl and a rough draft bye-laws for regulating the keeping of asses framed under sec 48(1), Mg the Mysore mcl. Regn for sanction of Govt.

(2) To the Presdt. Mysore city mcl, no 3855407 23-9-13 Declines the sanction, the rules being beyond the powers of the Govt. under sec 55 of the Regn.

GPB—1,000—17 11

Drawing
29-10-13

GRS 11] 1913.

GENERAL AND REVENUE SECRETARIAT.

(Mysore)

NOTES.

File No 69/13

FILE HEADING.

Bye-Laws under the Mysore Municipal Regulation.

From The Deputy Commissioner, Mysore Dist.

No. 142 Dated 21.8.1913 Received 23.8.1913

Diary No 1335	Enclos	Spare Copies	Serial No 9

BRIEF ABSTRACT OF LETTER.

Submits letter No 398/19 dated 19th August 1913 from the Secretary of the Mysore City Municipality enclosing draft bye-laws for regulating the keeping of asses within the limits of the Municipality framed under Sec 44 (iv), of the Mysore Mun Regn, for the sanction of Govt.

NOTES AND ORDERS.

T

The bye-laws in question are based on the draft bye-laws framed by the Mun Commissioners for the Cantonment; Bangalore, under Sec 137 (2), of the Bangalore Municipal Laws. The matter was dropped by the

NOTES—First Sheet.

GPB—35,000—15-6-12

(R S. 12)

General and Revenue Secretariat.

Ind File No. 69 of 1913

Serial No.

Transno 074268 Pt
from the 1st Asst Resdt.
Sl4 mil Rno 74-12.
9L.

the Straits Municl Courts.

2. The draft bye-laws in question are said to have been framed under sec 48 (1) (w) of the Singapore Municl Regulation. which authorises Municl Councils to frame bye-laws "generally for the regulation of all matters relating to municipal Administration". It is submitted that this provision of law does not authorize the Municl Cn to frame bye-laws regulating the keeping of horses. If the keeping of horses is one of the matters relating to Municl Administration, it is difficult to conceive of matters on which a Municl Council could not frame bye-laws.

3. Sec 48 (1) (d) enables a Municl Council to frame bye-laws prescribing the Kind of

(1) places to be used for stalling donkeys, etc.,
(2) limiting number of animals to be so stalled &
(3) prohibiting stallage otherwise than in accordance with the above;

the object all through being danger to public health. A Municl Council

Council-

NOTE—Contn sheet.

GPE—65,000—17-6-12.

13

R. S. 12]

General and Revenue Secretariat.

Ml File No. 69 of 191 3

Serial No.

cannot go beyond this and frame bye-laws

4 Sec 56 of the Mysore Police Regulation I Sch sec (c) & (k)] Contains sufficient provisions for preventing annoyance to the public

MK 80 5 The law has fixed the 27. & 1913 points relating to which the keeping of asses can be restricted / (Sec 48 (1)(a)) Sec 48 (b) cannot, it seems to me, be regulated in the manner suggested by the Mysore Calls Sec 5 The only bye-laws that can be sanctioned appear to be 5(a), 5-(b) & 6

6 There is no provision which authorises the licensing of asses, and therefore bye-laws 1 to 3 and 7 must go Bye-laws 4 & 5-(c) go with them.

7 The Straying of asses in the Street cannot be taken to involve danger to public health. Therefore Bye-laws 5-(d) too must go

8 Submitted for orders

9 It is not worth while Sanctioning 5(a), (b) & 6 only Any

Dy Secy). 29/8.

10 The Govt Advs. may be consulted as to the legality of the proposed bylaws.

Dmr 30/8

NOTE—Contn sheet.

1335

14

CJB.

General and Revenue Secretariat.

File No. 69 of 1913

Serial No.	
Lo No. 43-13 30-8-13	11. Forwarded to the Govt Advocate unofficially, for favour of opinion By order B Jaganmohan for Secy. 3/8/13
U-O-14 of 13-14.	12. Bye laws framed must not be in excess of the Statutory powers authorising them The Mysore Municipal Regulation VII of 1906 Contains no provisions for Controlling the possession of asses within the Municipal limits. Sec 48 (1) (d) empowers the Municipality to frame bye laws regulating the Stalling of donkeys Sec 48 (1) (w) Can, in my opinion, be resorted to only for regulating matters of Municipal administration in respect of which a specific provision exists in the Regulation The proposed bye laws seem therefore to exceed the powers conferred on the Council by the Municipal Regulation. B Doraiswamy Iyer Govt Adv 8-9-13.
HV 9/9	

Noted
9/9/13

NOTE—Contn. sheet.

GPB—55,000—[illegible]-13.

C. R. S. 12]

General and Revenue Secretariat.

Ind File No. 69 of 1913

Serial No.	
	13 Submitted for orders with the unofficial opinion of the Govt Advocate.
	14. Put up draft advertising sanction
	15 Draft of a letter is ordd.
17	18 approved
	19. Issued
20	To the Pres. of the Inspore City Mal Cl Rlo the dr Comr, Inspore Mem. No 3834 dt 23.9.13. The proposed bye-laws being beyond the scope of the present Municipal law, Govt decline to sanction them

NOTE—Contin. sheet.

(1)

23/8

Office of the Deputy Commissioner
Mysore District
Dated, Mysore, 21st August 1913.

A.Subramanya Iyer, Esquire, B.A.,
Deputy Commissioner
Mysore District

To

K.R.Srinivasiengar, Esquire, M.A.,
Secretary to the Government of Mysore
General and Revenue Departments.

Sir,

I have the honor to submit herewith letter No.39 dated 20th August 1913 received from the President, City Municipal Council Mysore, submitting for sanction draft bye-laws regulating the keeping of asses within the limits of the Mysore City Municipality.

I have the honor to be,
Sir,
Your most obedient servant,

Deputy Commissioner
Mysore District.

19

From

To

Dated

Despatched

Received

General No

No.

Enclosure No.

GPD—1,[illegible] 000—10-8 14

Encl to Gaz 69-17/8/13

No. 39

THE CITY MUNICIPAL OFFICE, MYSORE,
Dated..the..19th..August 1913.

From

T. G. Lukshmana Rao, Esq., L.C.E.,
President, City Municipal
Council, Mysore.

Through the Deputy Commissioner.

To

K. R. Srinivasa Iyengar, Esq., M.A.,
Secretary to the Govt of Mysore,
General & Revenue Depts

SIR,

I have the honour to forward herewith copy of the draft bye-laws for regulating the keeping of asses within the limits of the Municipality in Mysore framed under Section 48 (w) of the Municipal Regulation VII of 1906 as approved by the Council finally together with a copy of the resolution -- dated 28th July 1913.

No. d, 24 4 13
559-560
Part II

2. The draft bye-law was published in the Mysore Gazette on 17th April 1913 and criticisms and objections were invited. None having been received, the Council finally approv-ed the bye-laws with a few verbal modifications.

3. I request that you will be so good as to obtai the sanction of Government to the above bye-laws at an early a date as possible.

I have the honour to be,

S i r,

Your most obedient servant,

T Lukshmana Rao

President.

1913.

From

The President, City Muni.
Council, Mysore.
Thro' The Executive Commissioner

To

The Secy. to Govt. of Mysore,
Gen. and Rev. Depts.

Dated 19th
Despatched 20th } August 1913.
Received
General No. 39
No.
Enclosure No. Two.

Rcd. 8.8.1913
£.4
[illegible]

Submitting for sanction draft bye-laws for regulating the keeping of asses within the limits of the municipality of the City of

Proceedings of an ordinary meeting of the Municipal Council of the City of Mysore held in the Large Council Hall at 6 P.M. on Monday the 1st day July 1918.

Present.

1. T.G.Lukshmana Rao, Esqr., L.C.E., (President).
2. T.Narasimha Rao, Esqr., B.A., B.L., (Vice President).
3. Doctor Venkatesh, L.M.&S., L.F.P.S. (Health Officer).
4. Nallaya, Esqr.,
5. Ramaya Jatti, Esqr.,
6. Hanuma, Esqr.,
7. M.C.Ramaiah, Esqr.,
8. Nallaya Hegde, Esqr.,
9. Subbaraya Reddy, Esqr.,
10. A.Subbaya, Esqr.,
11. Ramaiah, Esqr.,
12. V.Srinivasa Setty, Esqr.,
13. Abdul Ahmad Khan Sahib, Esqr.,
14. M.Venkata Krishnayya, Esqr.,
15. M.Seshachalaiah, Esqr.,
16. Rao. B. Subbarao.

Absent.

1. N.V.Sundaram Iyer, Esqr., B.A., B.C.E., (Executive Engineer, Mysore Division).
2. Waheed Khan, Esqr., B.A., (Assistant, Mysore Taluk).
3. M.Ahmad Sahib, Esqr.,
4. V.Timmappa Hegde, Esqr.,

XXI Bye-laws regulating the keeping of asses as published in the Mysore Gazette on 24th April 1913.

Approved with a slight alteration.

(Sd) T.Lukshmana Rao,

President.

"C o p y"

T.Lukshmana Rao

President.

(6

shelter the animal from sun and rain.

(b) The said enclosure shall be kept scrupulously clean; all refuse shall be removed therefrom at least once in 24 hours.

(c) Every licensed ass shall have some distinguishing mark to indicate its ownership. and

(d) No ass shall be allowed to stray in the streets either in the day or in the night or into the compound of any house or be picketted on any public ground.

T Lakshmanarao

President.

Declining to sanction Bye-laws regulating the Keeping of Asses in the Mysore City

File No. 69/13

Serial No 20

G. R. S. 26]

1869

Diary No. of letter replied to 1335

No 3854

Jud 69-13—

General and Revenue Secretariat

(Municipal

the 191

To

9.23 9.13

The President of the Mysore City Muncl Comn

thro the Dy Comr, Mysore Dist.

Date of issue 23 9.13

Signed by Mr C.V Ramanathan

Sir,

Referring to your letter No 39 of the 19th August 1913, received with the Dy Comr's letter No 142 of the 21st idem, submitting for sanction draft of bye laws for regulating the Keeping of asses within the Mysore City, I am directed to inform you that the proposed

over

SUBJECT

appears to
proposed leg. laws ~~[illegible]~~ beyond
the Scope of the present Mining
Law and Govt desire to sanction
them. Cannot be accorded at present

I have etc

1619

Dunn
1919

Hun
1919 for Secretary

JHK 70
12.9.1918

List of enclosures.

Copied by

Examined by

GPD—25,000—8-8 11